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July 15, 2010

Azhar Majeed
Assoc. Director of Legal and Public Advocacy
Foundation for Individual Rights in Education
601 Walnut Street, Suite 510
Philadelphia, PA 19106

RE: Your Letter of June 24, 2010

Dear Mr. Majeed:

I am the Division Chief of the Washington State University (WSU) Division of the Office of the Attorney General. WSU President Elson S. Floyd has referred to me your letter of June 24, 2010, regarding the free speech rights of students. Your letter focuses on a service WSU provides to students called the "Bias Hotline."

The Bias Hotline is intended to facilitate reporting of illegal discriminatory, sexual harassment and hate crimes. The Hotline is introduced by a statement crafted to encourage those victimized by hate crimes and discrimination to report the incident. It is not a policy and is not directly reflective of WSU policy. Nonetheless, WSU understands your concerns that these introductory statements should be crafted to encourage appropriate reporting without chilling constitutionally protected speech. Accordingly, WSU will review case law guidance, including the cases cited in your letter, and amend the language as appropriate to reflect WSU's actual practice, which is to investigate only those reports of behavior which, if found to be true, would constitute illegal discrimination, harassment or criminal behavior.

Thank you for your extensive analysis and for bringing this issue to our attention.

Sincerely,



SHARYL KAMMERZELL
Senior Assistant Attorney General

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cc: Elson S. Floyd, President